

Applicants : David M. Mitteer et al.
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REMARKS

The Office Action dated July 27, 2005 included a Restriction Requirement, and the Examiner took the position that the present application includes claims directed to the following distinct inventions:

- I. Claims 1-16, drawn to a solenoid.
- II. Claims 17-21, drawn to the method of making a rod assembly.

Applicants have amended claim 17 to recite a method of making an electrically powered actuator. The method includes providing a housing positioning a coil in the housing, and positioning a center pole of a ferromagnetic material within the coil. The method further includes providing a rod assembly having a body portion of a first material, providing a magnet, and positioning the magnet on the body portion. At least a portion of the magnet is encapsulated with an elastomeric second material to thereby form a damper that contacts a stop surface.

Applicants respectfully submit that claim 17, as amended herein, cannot be made by another and materially different process than the process recited in claim 17, such that restriction is not proper.

Claims 1-16 have been amended to recite "an electrically powered actuator" rather than "a solenoid".

Applicants provisionally elect claims 1-16 directed to an electrically powered actuator.

Applicant has made a concerted effort to place the present application in condition for allowance, and a notice to this effect is earnestly solicited. In the event there are any remaining informalities, the courtesy of a telephone call to the undersigned attorney would be appreciated.

Respectfully submitted,

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Date



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